

## McGuigan, David

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**From:** Lynn Buhl -MDE- <lynn.buhl@maryland.gov>  
**Sent:** Thursday, March 31, 2016 3:55 PM  
**To:** McGuigan, David  
**Subject:** Re: MDE Phase II MS4s and Trading

Paul DeSantis has put together the short memo (re whether Phase I permits allow trading) we discussed in last phone call - that you wanted to include in message to HQs.  
I would prefer this be sent to you as a memo from Paul to me. do you have a preference?  
PS. Will get back to you re your Phase II idea.

On Wed, Mar 30, 2016 at 4:21 PM, McGuigan, David <[McGuigan.David@epa.gov](mailto:McGuigan.David@epa.gov)> wrote:

Maryland Colleagues,

Last September we finished our review of the MDE Phase II MS4 General Permits, and if my memory serves me well, we had resolved all outstanding issues and they were ready to be public noticed. We did agree that MDE could delay issuance until the litigation with the enviros was resolved. As that was resolved recently, it does appear that we should be in a position to public notice this GP today. However, with MDE's desire to incorporate trading into the MS4 program, these GPs may offer a vehicle to accomplish that. They generally are smaller scale and therefore easier to manage from a trading perspective. I would like to suggest that we work together to develop some trading language and procedures that we could incorporate into this round of Phase II permits. Hopefully, we could do this in short order and public notice the permits in the next month or so. This would inform the process of reg and policy development.

David

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